

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/719,691	BUEKERS ET AL.	
	Examiner	Art Unit	
	DHIRU R PATEL	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 9/20/04 and 10/7/04.
2.  The allowed claim(s) is/are 2 and 4-30.
3.  The drawings filed on 21 November 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 1004.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 1004.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

*Dhiru Patel*  
 DHIRU R PATEL 10/17/04

Primary Examiner  
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### **Part III DETAILED ACTION**

#### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Robert Glatz on 10/7/04.

2. The application has been amended as follows:

In the Claims:

In claim 9 line 14, change " a first" to -- the first--.

In claim 24 line 3, insert -- one of -- after "removing".

In claim 24 line 3, change " element" to -- elements-- second occurrence.

In claim 25, line 1, insert -- at least one of the compression plates includes a plurality of apertures and wherein -- after "wherein".

In claim 25 line 2, change "each aperture of at least" to-- each aperture of the at least--.

In the specification:

Please replace the paragraph at page 9, lines 20-28 with the following amended paragraph:

The plug may be inserted into the optical fibre duct, from the open end of which the mini-tubes project, by sliding along the mini-tubes after they have been positioned in

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the passages 531 and recesses 521 of the assembled plug. Liquid soap solution, or other suitable lubricant, may be used to assist this operation. An end of the gasket may be marked (B) to ensure that it is positioned toward the head of the bolt 51 that is inserted first into the duct, which may align the preferred sloping or curved slits 533 in the anti-clockwise sense for the aforementioned reasons in a clockwise tightening configuration. The bolt head and the bolt receiving apertures 522 in the compression members may be formed to limit or even prevent rotation of the bolt relative to the compression members during tightening of the nut 54. Thus the compression members 52 in combination with the compression bolt 51 and nut 54, provide a means for longitudinally compressing the gasket thereby laterally expanding it to exert sealing pressure around the mini-tubes and between the mini-tubes and the duct and a means for limiting movement of means for longitudinally compressing the gasket to a preset distance to limit the longitudinal compression applied to the gasket so as to limit damage to the optical fibres.

3. Figure 1 will be revised to replace element "13" with -- 3--.

#### ***Response to Arguments***

4. Attorney's argument on pages 2 and 4 that added at least the highlighted portions of claim 2 and claim 9 are not disclosed or suggested by Kinnan are convincing.

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***Allowable Subject Matter***

5. The following is a statement of reasons for the indication of allowable subject matter: The primary reasons for the indication of the allowability of claims 2, 4-17, 23-26, 29-30 are the inclusion therein, in combination as currently claimed, of the limitation of a means for longitudinally compressing the gasket thereby laterally expanding it to exert sealing pressure around the mini-tubes and between the mini-tubes and the duct; and means for limiting movement of means for longitudinally compressing the gasket to a preset distance to limit the longitudinal compression applied to the gasket so as to limit damage to the optical fibers (for claims 2, 4-8), the first of the sealing elements is located between the compression plates along a lateral periphery of the plates and wherein the sealing elements are spaced apart from each other in the lateral direction and wherein the compression device is arranged to compress the sealing elements without compressing any sealing material extending between the sealing elements (for claims 9-17, 23-26, 29-30).

The previously listed limitations are neither disclosed nor taught by the prior art of record, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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**Contact information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is 571-272-1983.

The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pairdirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Dhiru Patel  
Primary Examiner  
Group Art Unit 2831  
October 17, 2004

*Dhiru R. Patel*  
DHIRU R. PATEL  
PRIMARY EXAMINER  
10/17/04.